

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, NOVEMBER 24, 2008
7:00 PM

Mayor Randy Voller called the meeting to order at 7:04 p.m. and called for a brief moment of silence.

ATTENDANCE

Members present: Mayor Randolph Voller, Commissioners Gene T. Brooks, Clinton E. Bryan, III, Pamela Baldwin, Hugh Harrington, and Chris Walker.

Staff present: Manager Bill Terry, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Planner David Monroe, and Assistant Planner Paul Horne.

APPROVAL OF AGENDA

Mayor Voller noted that a number of the items that appeared on the agenda would not occur, and the Board had been made aware of that. He stated that Public Hearing Items 1, 2, and 3 had been withdrawn, as had New Business Items 1 and 2. Manager Terry stated that was correct.

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the agenda as amended.

Vote Aye-5 Nay-0

CONSENT AGENDA

The Consent Agenda contains the following items:

1. Approve minutes of the November 10, 2008 regular meeting.
2. A Resolution in Recognition of National Hospice Month.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to approve the Consent Agenda.

Vote Aye-5 Nay-0

A RESOLUTION IN RECOGNITION OF NATIONAL HOSPICE MONTH IS RECORDED IN THE BOOK OF RESOLUTIONS, NUMBER ONE, PAGE

REGULAR MEETING AGENDA

Citizens Matters

There were no citizens who expressed a desire to speak at this time.

PUBLIC HEARING

1. **Lawrence Green requests a rezoning of his property (Heartwood Pine) from R-A2CU to M-2.**
2. **Petition of Annexation by Mr. Corey and Ms. Justice for property at 412 NC Hwy 87N.**
3. **Corey/Justice rezoning request R-15 to R-12 with a Special Use Permit to allow a non-profit counseling office.**

All three of these items were withdrawn by the applicant.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to go into Public Hearing.

Vote Aye-5 Nay-0

4. **Town Ordinance Closing Womack Street.**

Planner Monroe stated this was regarding the closing of Womack Street associated with the Chatham County Justice Center Site Plan. He stated that the County wanted to put a crosswalk across Chatham Street so that it was more pedestrian oriented.

Mayor Voller determined that no one had signed up to speak on this issue. He stated the Board had received the Board of Adjustment report and had been briefed on the matter. Planner Monroe stated that was correct.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to go out of public hearing.

Vote Aye-5 Nay-0

OLD BUSINESS

1. **Manager's Update on Capital Projects.**

Manager Terry provided the following update on Capital Projects:

- Disinfection Byproducts Reduction Project – the preconstruction conference with contractors had been held and the contracts had been executed. He stated the expectation was that the project would be completed sometime in mid February.
- The 4 million gallon per day wastewater treatment project – he had reported at the last meeting that they were very close to completing the EIS, and that had been accomplished.

He said that document had been submitted to the State for review and he hoped to hear back from them sometime in January.

- 3M Reuse Water project – progress had been made; he had participated in a meeting held on Friday with Attorney Messick and the engineers, and they believe there was only one small impediment that should be resolved fairly quickly. He said they had tentatively set some dates for advertising the project and for the bid opening, and barring any objections from the Board or the State he planned on authorizing Hobbs & Upchurch and Hydrostructures to advertise for bids on December 4, with a pre-bid conference on January, and bid openings on January 15.

Mayor Voller said he was glad to see they were finally moving ahead with the 3M Water Reuse project. He asked about the Pedestrian Planning Grant. Manager Terry asked Mr. Horne to provide an update on that.

Assistant Planner Paul Horne stated that the staff and public review process had been completed, and they had forwarded revisions to the consultant and they were moving forward.

Manager Terry said that would be reviewed by the Parks and Recreation Board.

Mayor Voller asked was there still no change on the 3M park. Planner Horne responded they continued to wait on the wastewater project. Mayor Voller said then their progress would impact the Town's progress in trying to move forward. Planner Horne stated that was correct.

Manager Terry continued his update:

- Powell Place Park – they had scheduled a meeting with the architect and the Parks and Recreation Advisory Board for December 9 in order receive that Board's comments on the conceptual plans. He stated they planned to bring back a first draft in January.

2. Report from the Community Center Task Force (Paul Horne) .

Planner Paul Horne stated the Task Force believed it was most important to address the deficiencies currently at the Community Center, and the question was how to do that in these tight economic times. He said the Task Force had provided a list of recommendations and had included all the background information that had been compiled. Planner Horne stated they had formed a short-term plan where they could put together some fairly cosmetic changes that would add life to the building right away and would be fairly inexpensive, including putting in period lighting and conducting a thorough cleaning. He said along with that was instituting in-house policies to ensure that deposits were made and accounted for appropriately and that people using the building were taking proper care of it.

Planner Horne stated that the report cited a figure of \$63,000 to get the building up to standard, and ideally they would like to have that funding placed into the upcoming budget or perhaps break up the work and perform some of it during the current budget year.

Mayor Voller said he would like to hear input from the Board members who were on the Task Force.

Commissioner Harrington stated that each of them had some opinion on particular things and had prioritized to a certain degree what they wanted. But, he said, it all came down to the need to decide to either improve the property or decide they were not going to. Commissioner Harrington said there were certainly many things that could be done for not a large amount of money that would make a big difference, and believed the Task Force had a consensus on what most of those items were. He thanked Mr. Horne for putting together such a good summary, and said that the short-term items were something that the Board should be eager to address.

Commissioner Brooks stated he would second Commissioner Harrington's comments, noting it was too fine a building not to save and was still important to the citizens of Pittsboro. He said it would be prudent not to go into great detail tonight, but he had been in contact with Mr. Gregory twice and it was Mr. Gregory's grandfather's brother and his wife who had given the land and money for the building to the Town. Commissioner Brooks said that Mr. Gregory had offered to provide him a photograph of his grandfather's brother, and he believed the Town should perhaps recognize that contribution to the community.

Commissioner Brooks stated that Mr. Gregory was a preservationist and had been involved in preserving a farm outside of Raleigh as well as preserving a part of Oakwood near the old capital, which was better known as the Dorothea Dix hospital grounds. He stated that Mr. Gregory would at some point visit the Town to take a look at the building, although he would not ask Mr. Gregory for a contribution because it would be rude to do so.

Commissioner Harrington stated that Cindy Edwards who had served on the Task Force was also present.

Cindy Edwards stated she knew the Board had looked at all the reports and the recommendations from the Task Force, and emphasized that the Task Force would really like to get funding to carry out the recommendations. She said they were pleased they had been given the opportunity to work on the project, and would like to move forward, adding she would be happy to assist with any future projects.

Mayor Voller thanked Ms. Edwards for her service and her offer of time. He asked Manager Terry if there were community groups who wanted to work with the Town in raising funds or performing work at the Community House, what would be the mechanism to do that. Manager Terry replied there was certainly no problem for the Town to accept donations, noting they had accepted such grants in the past. He stated if a community group wanted to make a contribution they could do so through a letter to the Town which could then be accepted, and then appropriate staff could be assigned to work with volunteers regarding any work to be done.

Mayor Voller said he found it highly ironic that this house had been built during the Great Depression which was a time when people had to work together, and they now found themselves facing uncertain economic times and it was appropriate that the community would rally around this project. He stated that no funds had been budgeted for the Community House in the current budget, and asked how the Board should look towards the short-term and long-term for this project.

Commissioner Harrington said he would like to get a sense of the Board on the particular items recommended, such as the deep cleaning of the facility, replacing lighting with arts and craft fixtures, replacing period hardware, and the like. He said he as well as other community members and Task Force members would be willing to volunteer their time to perform minor work such as setting in gas logs, caulking, painting, and the like. Commissioner Harrington said if there were volunteers willing to do that then he would like to see the Town budget some amount for those short-term items.

Commissioner Walker said he had looked at the report and the recommendations from the aspect of Code compliance, which was somewhat different from what the Task Force had done with its short and long-term recommendations. He said he had come to the meeting tonight with the thought that they did not know what would happen given the current state of the economy and he would be hesitant to spend any money at the current time, and had planned to make a motion to place the entire project as a potential project for the 2009-10 budget. Commissioner Walker said after looking through the report again and listening to Commissioner Harrington's comments, they did not have a cost figure for the short-term recommendations and if some hard cost figures could be identified for those short-term actions then he might support that versus trying to do the entire project at one time now.

Commissioner Walker stated he had read the report thoroughly, and asked did they consider period lighting and asked what sort of ideas they were looking at. Planner Horne said that the Advisory Board had recommended installing period lighting which Cindy Edwards had located through her research. She had sourced several fixtures which were appropriate for the time period when the building was constructed. They were simple but stately in appearance and probably not unlike what would have been there originally. Horne elaborated that it was unlikely that the community house would have had particularly ornate fixtures given the depression of the 1930's.

Ms. Cindy Edwards said they had looked into a catalog for Restoration Hardware which carried a price of about \$1,500.

Commissioner Walker reiterated that he would like staff and the Task Force to determine the costs of the short-term recommendations and bring that back to the Board, then he would be willing to consider it.

Mayor Voller said he recalled that they were able to get the building re-roofed through a combination of working with 3M and others. He said he believed if they went out to the community using what the Community Center stood for and its historic value to the Town they could likely get a substantial reduction in the costs and could also get quite a few people mobilized to help with the project. Mayor Voller said on page 19, A.1, it talked about code compliance. He asked was that something they were required to do to keep the building open, or was it grandfathered in because it was historic. And if so, he said, why would that be in the report. Planner Horne said those items would be required after you had reached a certain percentage of other repairs.

Mayor Voller said he wanted to know what the Town's liability was in terms of the ADA. Manager Terry responded there were some issues related to the ADA, noting that once you undertook a renovation project you would need to dedicate a certain percentage of your budget to accessibility issues. Mayor Voller said in A.2, they had already addressed some of the issues. Manager Terry stated they had used some existing operation and maintenance money to address some of the smaller issues and there may be other small items that they could pursue. But, he said, the larger big ticket items would need to be proposed for next year's budget.

Mayor Voller said if you looked at the picture of the rear of the building, he wondered what the Task Force had decided regarding the attachment with the basement under it. He said it looked like an addition that had been put on the building, and asked did they believe that addition should remain. Planner Horne stated they had recommended tearing it down, noting it was free-standing. Mayor Voller agreed, noting it had no connection to that historic building other than at some point someone had thought it a good idea to add it on. He said he believed they could get volunteers to pull that eyesore down. Mayor Voller said they could also pursue having an historic marker for the property.

Commissioner Brooks stated that the Town had been provided copies of the 1934 Chatham Record article as well as the 1984 Chatham Record article with a 50-year update which contained research done on the building while work was being performed for the architectural survey of the County. He said he would like to get a copy of those articles as well as a copy of the deed to send along to Mr. Gregory. Planner Horne agreed to provide those.

Mayor Voller stated he had hoped to build on some of the enthusiasm generated by the Task Force, and asked what the will of the Board was at this point.

Commissioner Brooks said he believed the first thing they should do was to have the wiring and furnace inspected to make sure it was safe, and then look to see what else could be done.

Commissioner Walker said he did not think there was anybody on the Board not interested in repairs, but the question was how to go about doing that.

Mayor Voller asked if Assistant Planner Horne could bring back to the Board some cost estimates of what those items Commissioner Harrington had mentioned would cost, adding he was sure they could find volunteers to perform some of that work.

Commissioner Baldwin said as Mr. Terry had said perhaps they could continue to utilize some of the operation and maintenance funds to continue some maintenance.

Commissioner Walker agreed, but believed they needed to be careful because Manager Terry was correct that when you started major renovations you would need to comply with accessibility statutes. He said he wanted to thank Commissioner Harrington, Commissioner Brooks, Cindy Edwards, and Paul Horne, as well as Chuck Gillis with the Parks and Recreation Board and Walter "Corky" Harris with the Historical Association for all the work that had been put into this project.

Mayor Voller commented that Lindsay Starr had served on that Task Force. Planner Horne stated that was correct, and that Jane Pyle and Leslie Fesperman had been very helpful as well.

Assistant Planner Horne stated that regarding Commissioner Walker's idea about budgeting for next year, he would think that doing that would assist in obtaining any additional parks and recreation grant money.

Ricky Spoon stated that if the Board came to a firm decision about tearing down the addition, he would volunteer to bring equipment in and tear it down, noting it would likely take only about two hours to remove it and haul the remains to the dump.

Mayor Voller asked Manager Terry what his opinion was, noting the work could possibly be done by Public Works. Manager Terry responded it would be fairly easy to take the addition out.

Commissioner Harrington said Mr. Spoon was their first volunteer and it was free labor. Mr. Spoon asked how big that building was. Commissioner Harrington stated he was not sure, adding it was an old warehouse and it was a fairly stout brick and cinder block addition that had stuff in it that would have to be hauled off as well. He said there may be operation and maintenance money to do some small things, but believed they should coordinate with Mr. Spoon to remove the addition and perhaps they could coordinate with other volunteers as well. Commissioner Harrington said perhaps they should just allow Mr. Terry to decide how to proceed.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to allow Manager Terry to use his best common sense in dealing with the issues regarding the Community Center.

Vote Aye-5 Nay-0

Mayor Voller said then if Mr. Terry deemed that it made sense to take the addition down and to accept Mr. Spoon's offer, then he could move forward with that. He said he believed the will of the Board was to make positive steps forward, and this was the first step.

NEW BUSINESS

- 1. Petition of Annexation by Mr. Corey and Ms. Justice for property at 412 NC Hwy 87 N.**
- 2. Corey/Justice rezoning request R-15 to R-12 with a Special Use Permit to allow a non-profit counseling office.**

Both of these items were withdrawn by the applicant.

- 3. Town Ordinance Closing Womack Street.**

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the closing of Womack Street.

Vote Aye-5 Nay-0

4. Report on the Estimated Cost of Continuous Operation of the Town's Water Treatment Plant (John Poteat).

Manager Terry stated that Mr. Poteat was not able to attend this evening, so he would address the issue. He said the Board had asked the question at a previous meeting about what it would cost to adjust the schedule at the water treatment plant to a 24/7 operation. He said they had some preliminary information but he was not sure that the work was completed. Manager Terry said he was not totally comfortable with the preliminary outcome but was ready to discuss that preliminary information.

Manager Terry stated that Mr. Efirm believed that by adjusting the current 8-hour shifts by changing to 12-hour shifts that employees would work three 12-hour days in the first week of the pay period and then four 12-hour days in the second week of the pay period, that he could achieve a 24/7 operation with the addition of only one employee. He stated the rough costs for salary and benefits would be about \$47,000 for the new employee. Manager Terry said in the second week of the pay period when the schedule required four 12-hour days, the overtime would amount of another \$10,000 due to employees working more than a 40-hour week. He said with that, the grand total would amount to about \$57,000.

Manager Terry said the reason he believed the study was not complete was because he was not yet comfortable with the responses he was getting regarding safety issues associated with employees working longer shifts in that environment and with the decisions they had to make. He stated he had discussed with Mr. Poteat and Mr. Efirm that it was a fairly common practice in small plants to have a person working similar hours, and they had talked about what it would take to have two people per shift, particularly on night shifts. Manager Terry said that would require adding four additional employees, and that was a quantum leap in costs.

Manager Terry said in any case, to get the basic 24/7 operation the preliminary information indicated it could be done with the addition of one employee, and adding about \$57,000 in personnel expenses to the budget.

Commissioner Brooks suggested giving Mr. Terry more time to finalize the information and that the Board could discuss it at a later date. Manager Terry stated they still had time between now and the completion of the disinfection byproducts reduction project in three months to consider this proposal. He said that in January the Board would also receive a financial report that would likely show revenues from various taxes were not likely to be what they had expected, and by that time they may be able to determine if the new water rate structure would be as effective as hoped. Manager Terry said it was possible that if it was the Board's will to go to a 24/7 operation that a new employee could be added in the fourth quarter. But, he said, he believed they needed some time to address all the safety issues surrounding such a work schedule with only one employee on duty.

Commissioner Harrington asked if Mr. Poteat and Mr. Efirm believed it was a good idea. Manager Terry stated they did and Mr. Poteat had tried to allay his concerns, but the smaller an operation the more likely there was that a safety issue might arise. He said of course the great

benefit was that you would get away from the starting and stopping of the production of water and rebalancing the chemistry of the water, allowing you to make only minor adjustments and to get more consistent water chemistry through continuous operation.

Commissioner Harrington asked did they think it an added benefit to have the additional employee on board when the Town moved to chloramination or had those two issues been looked at as coupled. Manager Terry reiterated that in general everyone agreed that balancing the water chemistry was preferable, but changing to the 12-hour shifts and adding a new position did carry a cost of approximately \$57,000.

Mayor Voller said the Board had considered a number of new positions during the last budget cycle, and they had just recently hired a Finance Director. He said there were other positions that the Board had left on the table. Manager Terry said that was correct, noting there was a maintenance worker to be shared with the water and sewer plant, but they had decided not to fill that position just yet.

Mayor Voller stated he believed Commissioner Harrington was on the right track, noting that one of the issues with their water was that in any industrial process if you started and stopped it over and over again you were creating some of the problems seen in the system. He said most industrial plants ran on continuous operation, even the maintenance. Mayor Voller said if this would have a real effect on water quality then they needed to take a strong look at it. Manager Terry said he believed it was a good idea and that was why he wanted to make sure how they should proceed.

Mayor Voller said from the citizens' standpoint certain infrastructure needs were always at the top of the list, those being wastewater and water. But, he would say that for most people not involved with development issues water quality was their number one issue. Mayor Voller said they could wait to get more information, but if this would have a real effect on water quality then they should look at it strongly. Manager Terry stated he believed he could bring back a report at the next meeting in two weeks.

5. Selection of a Date for the Pittsboro Board of Commissioners Strategic Planning Retreat.

Mayor Voller stated he believed all members of the Board had received the memo, and asked had any consensus developed around a date.

Commissioner Walker stated his preference for January 20th

Commissioner Baldwin stated January 20th was not good for her.

Commissioner Harrington stated he was hoping for a Saturday so he would not have to take personal time off from his job.

Mayor Voller stated he had no problem with doing it on a Saturday. Manager Terry stated this particular facilitator could not do a Saturday, but he could go back and look at a short list of facilitators who might be available on a Saturday and bring that back to the Board.

Mayor Voller said he would recommend a Saturday anytime after the first of the year, preferably in January. He said the sooner the better, because they needed to develop their strategy with the budget and they needed to be doing that in January. Manager Terry stated he would go to work on finding a facilitator.

After some discussion, the Board agreed by consensus to identify a Saturday in January beginning with January 10.

6. Chatham County Commissioner's request for Funding Support for an Assessment of the Water Quality of the Rocky River.

Manager Terry said that he had no recommendation on this issue, and referred the Board to the letter received. He said he was seeking guidance from the Board on how to proceed.

Mayor Voller said his question was were they contributing at all to the Rocky River with their ETJ, adding that in the corporate limits they were contributing everything to Robeson Creek and to the Haw River.

Commissioner Brooks stated there was no creek, stream, or body of water in Pittsboro or Pittsboro's ETJ that came anywhere near the Rocky River. He said Pittsboro was not involved in any way, shape, or form with the Rocky River.

Ricky Spoon asked what about 3M, stating it may flow in that direction.

Commissioner Brooks said he did not see how because there was no creek on that property to his knowledge. He said that the closet creek to 3M was Camp Creek.

Mayor Voller said that the Haw River and Robeson Creek both had water quality issues that affected Pittsboro, and he would be interested if the County would be willing to fund some study of Robeson Creek, which had been impaired for as long as he had been doing business in Pittsboro. He said that the Haw River provided drinking water, which was another issue. Mayor Voller said he was not opposed to doing studies, because it was a water quality issue, but the Town's share of that was nothing, unless you were considering the entire Cape Fear River Basin which was a little different.

Commissioner Walker said the State had told Pittsboro that Robeson Creek was impaired, but he did not believe they had any issues with the Rocky River at this point in time. He quoted several passages from the letter that had been received regarding the studies and projects including a reservoir project and what the State was requiring regarding nitrogen and other chemicals. Commissioner Walker said he would not support participating in an assessment of the Rocky River.

Mayor Voller suggested that the Board send a letter back stating they favored water quality but would not commit at this point, and they would like some guidance when it came to the two bodies of water that did impact Pittsboro's water quality and how they could work together to address that. He said the Town did not discharge anything in the Rocky River, so they were not contributing to the water quality issue. Manager Terry stated he would be happy to draft a letter relaying those comments.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to deny the request for \$15,000 in funding support for an assessment of the water quality of the Rocky River, and to instruct Manager Terry to draft a letter stating that the Town of Pittsboro favored water quality but would not commit at this point, and they would like some guidance when it came to the two bodies of water that did impact Pittsboro's water quality and how they could work together to address that.

Vote Aye-5 Nay-0

Mayor Voller stated the Board should review the letter before it was sent out, noting they did not want to damage any relationships but this issue was not an issue where Pittsboro was directly involved.

Mayor Updates

Mayor Voller stated the EDC had recently met and would be meeting again in three months. He said there would be an RPO meeting on December 10th that the Board was invited to attend where they would hear a report on ports and the \$1.7 billion that would be invested by the federal government to upgrade Wilmington's port and others. He said he believed Chatham County was a good candidate for intermodal freight coming in from such ports, so there were opportunities for transportation that could affect this County.

Mayor Voller stated the Board had been provided input from DMA regarding the carriage rides on November 29th.

Commissioner Concerns

Commissioner Brooks said a few years ago the Town had voted to have a three business day rule on requests from developers, attorneys, etc. involving Town zoned building plans. He said that had done away with a lot of confusion, and it appeared they were drifting away from that policy. Commissioner Brooks suggested they needed to reinstate that rule again. He said if there was a change, it needed to come at least three days prior to a meeting so that it could be included in the agenda packet so that the Commissioners would have an opportunity to study it before the night of the meeting. Commissioner Brooks said he was strictly speaking about development and land use.

Mayor Voller said he remembered when that rule had been put in place, around 1997 or 1998, and it was to make sure the Board did not receive late information on the Friday before or the Monday of a meeting. Planner Monroe said he regularly informed developers what the deadline

was for materials to be included in the packet, and he did his best never to bring the Board anything that came in after the deadline.

Commissioner Brooks stated he wanted to re-establish the three business day rule and adhere to it.

Mayor Voller said then the rule would mean that information had to be submitted no later than a Wednesday afternoon prior to a Board meeting.

Commissioner Bryan suggested not considering information that was provided the night of the meeting, noting that information could be submitted for the next meeting after that.

Manager Terry stated there appeared to be a consensus, so staff would reiterate that policy.

Commissioner Walker stated he would not be attending the December meeting due to a family commitment that required his presence.

Commissioner Baldwin and Commissioner Harrington both indicated they had no concerns to offer.

Commissioner Brooks stated that the resolutions honoring veterans and Town employees were well written.

Commissioner Walker read aloud the Resolution Honoring Veterans and Men and Women Currently Serving in the Armed Forces of the United States of America dated November 10, 2008.

Commissioner Brooks read aloud the Resolution of Appreciation for Town of Pittsboro Employees dated November 10, 2008.

ADJOURN

Motion made by Commissioner Brooks seconded by Commissioner Walker to adjourn the meeting at 8:15 p.m.

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk